

1  
2  
3 BILL NO. G-72-12-06 - AMENDED  
4

5 GENERAL ORDINANCE NO. G- 01-73  
6

7 AN ORDINANCE dealing with abandoned,  
vacated or converted motor vehicle  
filling and service stations.

8 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
9 INDIANA:

10 SECTION 1. During the period when a motor vehicle filling  
11 and service station is vacated, closed, or otherwise not opened for  
12 business for more than sixty (60) consecutive days, the owner  
13 or lessee thereof shall be subject to complying with the follow-  
14 ing regulations:

- 15 a) Vehicular parking and storage shall be prohibited  
16 at all times anywhere on the premises, and the owner  
17 or lessee shall post a sign or signs on the premises  
18 giving notice that all parked or stored vehicles are  
19 subject to ticketing and removal by the City at the  
20 vehicle owner's expense. In addition, the owner or  
21 lessee, whoever is in possession, is subject to ticket-  
22 ing if unlawfully, parked or stored vehicles are permitted  
23 on the premises by consent of owner or lessee. The City  
24 shall have the right of entry to said property for the  
25 purpose of accomplishing said ticketing and removal.  
26 b) The ground shall be kept free of rubbish and debris, the  
27 sidewalks shall be kept free of snow, and the grass,  
28 if any, shall be well kept and cut as necessary so  
29 as to present a neat and attractive appearance at all  
30 times.  
31 c) The owner shall maintain a record of the name and address  
32 of the person or firm who cleaned the premises and  
33 removed the debris; such record shall be made available  
34 to the inspectors of the Board of Public Works; and  
35 further, each entry in said record shall be kept at  
least one year.

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3 PAGE 2.

4 SECTION 2. Within sixty (60) days of such closing all  
5 curb cuts across the driveway entrances and all other points of  
6 ingress and egress to the premises shall be closed by the owner  
7 or lessee to vehicular traffic by properly placed and secured  
8 precast concrete wheel stops or the equivalent, as may be approved  
9 by the Board of Public Works.

10 SECTION 3. A motor vehicle filling and service station  
11 which is vacant, closed, or not opened for business for a period  
12 of one hundred eighty (180) consecutive days or which is not  
13 operating for a lesser period if intention to abandon is evidenced  
14 by removal of pumps or other such facilities or other such action,  
15 shall be *prima facie* deemed abandoned. An owner of an abandoned  
16 motor vehicle filling and service station is subject to notice  
17 from the Board of Public Works directing the razing, demolition,  
18 and removal of all buildings, structures, pumps and signs  
19 situated upon the premises, together with the removal of all  
20 underground storage tanks or their filling with inert material.  
21 Said razing and removal is to be accomplished within sixty (60)  
22 days from date of said notice. Owner shall complete said demo-  
23 lition, leaving the premises free from rubbish and debris, and  
24 shall properly backfill all excavation areas. Owner shall have  
25 the right, in lieu of complying with the demolition order, to  
26 petition Board of Public Works of the City of Fort Wayne within  
27 thirty (30) days showing cause why said motor vehicle filling and  
28 service station should not be considered abandoned, and a sixty  
29 (60) day extension of the demolition order shall be granted by  
30 said Board so that the station may be reopened or converted to  
31 an alternate business use. No more than two (2) sixty (60)  
32 day extensions shall be granted. The said Board of Public Works  
33 shall, in making its finding, take into consideration but not  
34 necessarily be limited to, the following criteria:

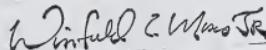
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- 4 a) Prospects for alternate or future use.  
5 b) Pending litigation or condemnation affecting subject  
6 property.  
7 c) Pending or contemplated road changes.  
8 d) Character and trends of development in the neighborhood.  
9 e) Pending sale or lease transactions concerning  
10 subject property.

11 SECTION 4. If, within the one hundred eighty (180) consecutive  
12 day period heretofore referred to, the property has been sold or  
13 leased for alternate business purposes and an affidavit to this  
14 effect has been filed with the said Board of Public Works, then  
15 demolition shall be deferred.

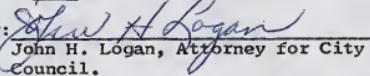
16 SECTION 5. If any part, parts, section, sections, provision,  
17 clause or portion of this ordinance shall be adjudged invalid or  
18 unconstitutional, such invalidity or unconstitutionality shall not  
19 affect the validity or constitutionality of this ordinance as a  
20 whole or of any other part, section, clause, provision, or portion  
21 of this ordinance.

22 SECTION 6. This Ordinance shall be in full force and  
23 effect from and after its passage, approval by the Mayor, and  
24 legal publication thereof.

25 

26 \_\_\_\_\_  
27 Councilman  
28  
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34

35 Approved as to form and legality  
this 9th day of January, 1973.

By:   
John H. Logan, Attorney for City  
Council.

Read the first time in full and on motion by John seconded by John

W. Schmidt and duly adopted, read the second time by title and referred to the Committee on Public Works (and to the City Plan Commission for recommendation) (and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock

~~P.M., E.S.T.~~

Date: 12/5/22

Charles W. Schleman  
CITY CLERK

Read the third time in full and on motion by Stier  
seconded by Galvino and duly adopted, placed on its passage.

Passed (~~100~~) by the following vote:

AYES 9. NAYS 0. ABSTAINED , ABSENT to-wit:

#### Resumen

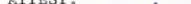
Hinga	✓	_____	_____	_____
Kraus	✓	_____	_____	_____
Nuckols	✓	_____	_____	_____
Moses	✓	_____	_____	_____
Schmidt, D.	✓	_____	_____	_____
Schmidt, V.	✓	_____	_____	_____
Stier	✓	_____	_____	_____
Talarico	✓	_____	_____	_____

Date 1-9-73

Charles W. Waterman  
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as Zoning Map (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. 12-01-73 on the 9th day of January, 1973.

ATTEST: (SEAL)

ATTEST: (SEAL)  
  
CITY CLERK

W. H. Wase, Jr.  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 20<sup>th</sup> day of

January, 1973 - at the hour of 10:30 o'clock A.M. E.S.T.

*Charles W. Hartman*  
CITY CLERK

Approved and signed by me this 12th day of January, 1973  
at the hour of 10 o'clock A. m., E.S.T.

Don A. Gabany  
MAYOR

Bill No. G-72-12-06 (AMENDED)

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance  
dealing with abandoned, vacated or converted motor  
vehicle filling and service stations

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do PASS. *as amended*

James S. Stier = Chairman

Eugene Kraus, Jr. - Vice-Chairman

Samuel J. Talarico

William T. Hinga

Vivian G. Schmidt

*James S. Stier*  
*Eugene Kraus, Jr.*  
*Samuel J. Talarico*  
*William T. Hinga*  
*Vivian G. Schmidt*

CONCURRED IN

DATE 7-9-73 CHARLES W. WESTERMAN, CITY CLERK

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12 for more than sixty (60) consecutive days, the owner or lessee thereof  
13 shall be subject to complying with the following regulations:

- 14 a) Vehicular parking and storage shall be prohibited at all times  
15 anywhere on the premises and the owner or lessee shall post a  
16 sign or signs on the premises, giving notice that all parked  
17 or stored vehicles are subject to ticketing and removal by the  
18 City at the vehicle owner's expense. In addition, the owner or  
19 lessee, whoever is in possession, is subject to ticketing if  
20 unlawfully, parked or stored vehicles are permitted on the  
21 premises by consent of owner or lessee. The City shall have  
22 the right of entry to said property for the purpose of accom-  
23 plishing said ticketing and removal.
- 24 b) The ground shall be kept free of rubbish and debris, the side-  
25 walks shall be kept free of snow, and the grass, if any, shall  
26 be well kept and cut as necessary so as to present a neat and  
27 attractive appearance at all times.
- 28 c) The owner shall maintain a record of the name and address of  
29 the person or firm who cleaned the premises and removed the  
30 debris; such record shall be made available to the inspectors  
31 of the Board of Public Works; and further, each entry in said  
32 record shall be kept at least one year.

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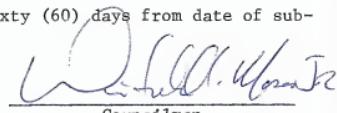
5 SECTION 2. Within sixty (60) days of such closing application shall  
6 be made by the owner or lessee to the appropriate governmental agency to  
7 close said curb cuts and shall be diligently pursued by said owner or  
8 lessee and when required closing of curb cuts is granted, all curb cuts  
9 across the driveway entrances and all other points of ingress and egress  
10 to the premises shall be closed to vehicular traffic by properly placed  
11 and secured precast concrete wheel stops or the equivalent, as may be  
12 approved by the appropriate agency.

13  
14 SECTION 3. A motor vehicle filling and service station which is  
15 vacant, closed, or not opened for business for a period of one hundred  
16 eighty (180) consecutive days or which is not operating for a lesser period  
17 if intention to abandon is evidenced by removal of pumps or other such  
18 facilities or other such action, shall be *prima facie* deemed abandoned.  
19 An owner of an abandoned motor vehicle filling and service station is  
20 subject to notice from the Board of Public Works directing the razing,  
21 demolition, and removal of all buildings, structures, pumps and signs  
22 situated upon the premises, together with the removal of all underground  
23 storage tanks or their filling with inert material. Said razing and removal  
24 is to be accomplished within sixty (60) days from date of said notice.  
25 Owner shall complete said demolition, leaving the premises free from rubbish  
26 and debris, and shall properly backfill all excavation areas. Owner shall  
27 have the right, in lieu of complying with the demolition order, to petition  
28 Board of Public Works of the City of Fort Wayne within thirty (30) days  
29 showing cause why said motor vehicle filling and service stations should  
30 not be considered abandoned, and a sixty (60) day extension of the demolition  
31 order maybe granted by said Board so that the station may be reopened or  
32 converted to an alternate business use. No more than two (2) sixty (60)  
33 day extensions shall be granted. The said Board of Public Works shall, in  
34 making its finding, take into consideration but not necessarily be limited to,  
35 the following criteria;

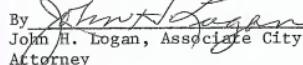
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- 5 a) Prospects for alternate or future use.  
6 b) Pending litigation or condemnation affecting subject property.  
7 c) Pending or contemplated road changes.  
8 d) Character and trends of development in the neighborhood.  
9 e) Pending sale or lease transactions concerning subject property.

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11 SECTION 4. If, within the one hundred eighty (180) consecutive  
12 day period heretofore referred to, the property has been sold or leased  
13 for alternate business purposes and an affidavit to this effect has been  
14 filed with the said Board of Public Works, then demolition shall be deferred.  
15 Approval of the City Plan Commission shall be received prior to any motor  
16 vehicle filling and service station's being converted to any other use.  
17 The Commission shall take into consideration all aspects of the proposed  
18 development, including but not necessarily limited to, the type use, the  
19 site plan, the exterior design, and the appearance of the development,  
20 and shall process the proposal within sixty (60) days from date of sub-  
21 mission to said City Plan Commission.

  
John H. Logan Jr  
Councilman

22  
23 Approved as to form and legality  
24

25 By   
John H. Logan, Associate City  
26 Attorney

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Hed  
Tom B

Bill No. G-72-12-06

REPORT OF THE COMMITTEE ON PUBLIC WORKS

We, your Committee on Public Works to whom was referred an Ordinance  
dealing with abandoned, vacated or converted motor  
vehicle filling and service stations

have had said Ordinance under consideration and beg leave to report back to the Common  
Council that said Ordinance Do. PASS.

Winfield C. Moses, Jr. - Chairman

William T. Hinga - Vice-Chairman

Samuel J. Talarico

Eugene Kraus, Jr.

Donald J. Schmidt

## ORDINANCE CHECK-OFF SHEET

## INFORMATION REGARDING ORDINANCE

## CONTENTS OF ORDINANCE

BILL NO.	D-72-12-06 (enclosed)	
ORDINANCE NO.	G- 61-73	
X	REGULAR SESSION	12-5-72
	SPECIAL SESSION	
	APPROVED AS TO FORM AND LEGALITY	Layton Petty
	BILL WRITTEN BY	
	DATE INTRODUCED	12-5-72
	REFERRED TO SAID STANDING COMMITTEE	Public Works
	REFERRED TO CITY PLAN	
	LEGAL PUBLIC HEARING	
	LEGAL PUBLICATION	
	JOINT HEARING	
	DEPARTMENT HEARING	
	HOLD FILE	
X	PASS	1-9-73
	DO NOT PASS	
	WITHDRAWN	
	SUSPENSION OF RULES	
	PRIOR APPROVAL	
	ORDINANCE TAKEN OUT OF OFFICE	
	OTHER INSTRUCTIONS REGARDING ORDINANCE	
	CORRECTIONS MADE TO ORDINANCE	
	PEOPLE SPEAKING FOR ORDINANCE	
	PEOPLE SPEAKING AGAINST ORDINANCE	

## PURCHASE ORDERS

Original ~~and~~ <sup>copy of</sup> ordinance  
ORDERS, BIDS OR OTHER PAPERS  
TAKEN OUT AND BY WHOM

LETTER REQUESTING ORDINANCE  
DRAWN UP BY CITY ATTORNEY

COMMUNICATIONS  
FROM

ZONING MAPS

ABSTRACTS

TITLES

PRIOR APPROVAL LETTER

## COUNCILMAN'S VOTE

	AYES	NAYS	ABSENT
BURNS	X		
HINGA	X		
KRAUS	X		
MOSES	X		
NUCKOLS	X		
D. SCHMIDT	X		
V. SCHMIDT	X		
STIER	X		
TALARICO	X		

COMMENTS:

January 15, 1973

Miss Helen Libbing  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, Indiana 46802

Dear Miss Libbing:

Please give the attached full coverage on the dates of January 17 and January 24, 1973, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council of  
Fort Wayne, Indiana, A Zoning Map  
Ordinance amending the City of Fort  
Wayne Zoning Map No. H-9.  
Bill No. Z-72-11-06.

RE: Legal Notice for Common Council of  
Fort Wayne, Indiana, An Ordinance  
dealing with abandoned, vacated or  
converted motor vehicle filling  
and service stations. Bill No.  
G-72-12-06 - (AMENDED)

Please send us four (4) copies of the Publisher's Affidavit.

Thank you.

Sincerely,

Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 2

## DATA FOR COMPUTING COST

Notice is hereby given that on the 9th day of January 1973, the Common Council of the City of Fort Wayne, Indiana, at a Regular Session did pass the following G-01-73 General Ordinance, to-wit:

**BILL NO. G-72-12-05 - AMENDED  
GENERAL ORDINANCE NO. G-01-73**  
AN ORDINANCE dealing with abandoned, vacated, or converted motor vehicle filling and service stations.

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single column 11 ems

Size of type 5 1/2 point

insertions 2

Size of quad upon which type is cast 5 1/2

on and penalties of Ch. 89, Acts 1967,

foregoing account is just and correct, that the amount claimed is legally due, after allowing all just of the same has been paid.

1973

*A. M. Hostman*

Title Clerk

underground storage tanks or their piping with inert material. Said roasting and remelting is to be accomplished within sixty (60) days from date of said notice. Owner shall complete the roasting and remelting and shall keep the premises free from rubbish and debris. Said Board shall be responsible for the removal of the premises free from rubbish and debris, and shall properly backfill all excavation areas. Owner shall have the right, in lieu of compliance with this section, to have the premises turned over to the Board of Public Works or the Board of Public Works and further to have the premises sold. Said Board shall be granted by solid Board so that the premises may be converted or removed or converted to an alternate business use. No more than two (2) days, showing from the date of notice, shall be allowed for the Board of Public Works to make its finding, take into consideration but not necessarily limited to, the following criteria:

(A) Prospects for alternate or future use.  
(B) Pending litigation or condemnation affecting subject property.  
(C) Pending or contemplated road changes.  
(D) Character and trends of development in the neighborhood.  
(E) Pending sale or lease transaction.

SECTION 4. If, within the one hundred eighty (180) consecutive day period hereinafter referred to, the property has been sold or removed or converted to an alternate business use or an affidavit to this effect has been filed with the solid Board of Public Works, then the property shall be exempted.

SECTION 5. If any part, parts, section, provisions, clause or portion of this ordinance shall be declared invalid or unconstitutional, the same shall not affect the validity or constitutionality of this ordinance or a portion thereof, and the remaining parts, sections, clauses or portions shall remain in full force and effect.

SECTION 6. This ordinance shall remain in effect until January 1, 1974, unless

provision, or portion of this ordinance, shall be in full force and effect from and after its passage, approval by the Mayor, and legal notice given thereon.

Winfield Moses Jr., Councilman.

Read the third time in full and on motion by Stier, seconded by Talarico, and duly approved by the Board of Public Works. Passed by the following vote:

Ayes 9, to-wit: Burns, Hinge, Kraus, Hostman, Jones, Schmidt, V. Schmidt, Stier, Talarico.

Nays, none.

Date 1-7-73.

Charles W. Westerman, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 10th day of January, 1973, at the hour of 10:30 o'clock A.M. E.S.T.

Charles W. Westerman, City Clerk, of January 1973 at the hour of 4:00 o'clock P.M. E.S.T.

I, Charles W. Westerman, Clerk, of the City of Fort Wayne, Indiana, hereby certify that the above and foregoing is a full, true and complete copy of General Ordinance No. G-01-73, as passed by the Common Council on the 9th day of January, 1973, and that said Ordinance was duly signed and approved by the Mayor on the 12th day of January, 1973, and that the same remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of January, 1973.

Charles W. Westerman, City Clerk.

1-17-74

in and for said county and state, the who, being duly sworn, says of the

general circulation printed and published

*FORI WAYNE, INDIANA*

ad matter attached hereto is a true copy,

time S, the dates of publication being

17, 1973

24, 1973

*A. M. Hostman*  
Date of January 19, 1973  
*John C. Kromb*

Notary Public

1975

Common Council-City of Ft. Wayne  
(Governmental Unit)

To..... NEWS-SENTINEL..... Dr.

Allen..... County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

## COMPUTATION OF CHARGES

165 lines, ..... columns wide equals ..... equivalent lines at 288¢  
cents per line \$ 47.52

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) (2) 1.00

TOTAL AMOUNT OF CLAIM \$ 48.52

## DATA FOR COMPUTING COST

Width of single column 11 ems Size of type 5½ point

Number of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*A. M. Hostman*

Date January 29, 1973

Title Clerk

## PUBLISHER'S AFFIDAVIT

State of Indiana } ss:

ALLEN County } ss:

Personally appeared before me, a notary public in and for said county and state, the undersigned, A. M. Hostman, who, being duly sworn, says

that she is Clerk of the NEWS-SENTINEL

DAILY newspaper of general circulation printed and published

in the English language in the city of FORT WAYNE, INDIANA

state and county aforesaid, and that the printed matter attached hereto is a true copy,

which was duly published in said paper for 2 time, the dates of publication being as follows:

January 17, 1973

January 24, 1973

*A. M. Hostman*

Subscribed and sworn to before me this 29th day of January 1973

Notary Public

JACQUARD  
DOUBLE KNITS

My commission expires October 25, 1975

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legal credits, and that no part of the same has been paid.

Date **January 29, 1973**

**8D** Fort Wayne Journal-Gazette

Wed., Jan. 17, 1973

Legal Notices

Notice is hereby given that on the 9th day of January, 1973, the City of Fort Wayne, Indiana, in a Regular Meeting, adopted the following G-61-73 General Ordinance, to-wit:

**BILL OF FARE, SECTION 2, GENERAL ORDINANCE NO. 61-23, AN ORDINANCE dealing with oil delivery, vending, and service stations, vehicle filling and service stations.**

BE IT ENACTED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

**SECTION 1.** During the period when a name is being filled at a service station, a vended, closed, or otherwise opened for business for more than sixty (60) consecutive days, the owner or lessee thereof, the owner or lessee, whoever in possession, is subject to ticketing if unreasonably failing to maintain the premises on the premises by consent of the Board of Public Works.

**SECTION 2.** Within sixty (60) days of such closing oil curb cuts across the right of entry to said property for

Legal Notices

the purpose of accomplishing said ticketing, the owner or lessee thereof shall be required to comply with the following regulations:

(a) Vehicular pumps and storage tanks shall be located on the premises where on the premises, and the owner or lessee shall be required to maintain the premises giving notice that all pumps and storage tanks are in good, safe, and effective appearance of oil tanks.

(b) On the owner's shop, maintained by the owner or lessee, there shall be a record of the name and address of a firm or firm who directed the premises to be maintained, and the name and address of the oil company to whom the record may be made available to the owner or lessee, whenever in possession, is subject to ticketing if unreasonably failing to maintain the premises on the premises by consent of the Board of Public Works.

Legal Notice

the premises, the owner or lessee, whoever in possession, is subject to ticketing if unreasonably failing to maintain the premises on the premises by consent of the Board of Public Works.

**SECTION 3.** Within sixty (60) days of such closing oil curb cuts across the right of entry to said property for

Legal Notice

the premises, the owner or lessee, whoever in possession, is subject to ticketing if unreasonably failing to maintain the premises on the premises by consent of the Board of Public Works.

**SECTION 4.** Within sixty (60) days of such closing oil curb cuts across the right of entry to said property for

Legal Notice

the premises, the owner or lessee, whoever in possession, is subject to ticketing if unreasonably failing to maintain the premises on the premises by consent of the Board of Public Works.

**SECTION 5.** Within sixty (60) days of such closing oil curb cuts across the right of entry to said property for

**AFFIDAVIT**

BS:

before me, a notary public in and

**LARRY E. GERKEN**  
CLERK

**NAL-GAZETTE**

newspaper of general circulation in the city of **FORT WAYNE**, town of **FORT WAYNE**, and that the printed matter aforesaid in said paper for **2** time(s)

**January 17, 1973**

**January 24, 1973**

to before me this **23**th day of **October**, 1972.

**October 25, 1972**

(A) Prospects for alternate or future use. (b) Pending litigation or condemnation affecting subject property, or any interest therein, including road changes.

(c) Character and trends of development in the neighborhood. (d) Any other information or data concerning subject property.

**SECTION 4.** It, within the one hundred days following the date of the ordinance referred to, the property has been assessed for tax purposes, and the tax assessed, and on affidavit to this effect has been filed with the said Board of Public Works.

**SECTION 5.** If any part, parts, section, sections, or sections of this ordinance shall be adjudged invalid or unconstitutional, the same shall not necessarily affect the validity or constitutionality of the remaining parts or of any other part, section, clause, provision, or section of this ordinance.

**SECTION 6.** This Ordinance shall be in full force and effect from and after its publication in the **Journal-Gazette** and legal publication thereto.

Witnessed this **23**th day of **October**, 1972, by:

**Charles W. Westerman, City Clerk.**  
Presented and adopted by the Common Council of the City of Fort Wayne, Indiana, at a regular meeting, No. G-61-73 on the **9th** day of **January**, 1973.

**Whitfield Moses Jr., Presiding Officer.**  
Chairman, Common Council, City Clerk.

Presented by me to the Mayor of the City of Fort Wayne, Indiana, the **10th** day of **January**, 1973, at the hour of **4:00** o'clock A.M. E.S.T.

**Charles W. Westerman, City Clerk.**  
Approved and signed by me on the **12th** day of **January**, 1973 at the hour of **4:00** o'clock P.M. E.S.T.

**J. Charles W. Westerman, City Clerk.**  
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the foregoing is a true and complete copy of General Ordinance No. G-61-73, adopted by the Common Council on the **9th** day of **January**, 1973, and presented to the Mayor of the City of Fort Wayne, Indiana, and approved by the Mayor on the **10th** day of **January**, 1973, and the same remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this **13th** day of **January**, 1973.

**Charles W. Westerman, City Clerk.**

Common Council-City of Ft. Wayne  
(Governmental Unit)

To JOURNAL-GAZETTE Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)  
— number of equivalent lines

Head	number of lines	—
Body	number of lines	164
Tail	number of lines	1
Total number of lines in notice		165

## COMPUTATION OF CHARGES

165 lines, columns wide equals.....	equivalent lines at .288¢	47.52
cents per line		↳
Additional charge for notices containing rule or tabular work (50 per cent of above amount)		
Charge for extra proofs of publication (50 cents for each proof in excess of two)		(2) 1.00
TOTAL AMOUNT OF CLAIM		48.52

## DATA FOR COMPUTING COST

Width of single column 11 ems	Size of type $5\frac{1}{2}$ point
Number of insertions 2	Size of quad upon which type is cast $5\frac{1}{2}$

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date January 29, 1973

Title CLERK

## AFFIDAVIT

ss:

Appeared before me, a notary public in and for said county and state, the LARRY E. GERKEN

who, being duly sworn, says

CLERK

of the

JOURNAL-GAZETTE

DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:

January 17, 1973

January 24, 1973

January 19, 1973

Subscribed and sworn to before me this 29th day of January 1973

Notary Public

My commission expires October 25, 1975